

Message Text

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ACTION L-03

INFO OCT-01 EUR-12 ISO-00 EB-07 COME-00 JUSE-00 CIAE-00

DODE-00 PM-04 H-02 INR-07 NSAE-00 NSC-05 PA-01 PRS-01

SP-02 SS-15 USIA-06 TRSE-00 /066 W

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FM AMEMBASSY ROME

TO SECSTATE WASHDC 7357

LIMITED OFFICIAL USE ROME 7200

E.O. 11652: GDS

TAGS: PGOV, PFOR

SUBJECT: CABINET TASK FORCE ON QUESTIONABLE PAYMENTS ABROAD:
FOREIGN LAWS ON QUESTIONABLE PAYMENTS

REF: STATE 094647

1. FOLLOWING, PROVIDED BY ITALIAN MINISTRY OF FOREIGN
AFFAIRS, KEYS TO ENUMERATION OF REFTEL.

2. A. YES. ARTICLES 318, 319 AND 320 OF THE ITALIAN PENAL
CODE APPLY, AND ARTICLE 317 ON BRIBERY SEEMS
RELEVANT.

B. NO. HOWEVER, IN THE CASE OF ILLEGAL PAYMENTS
WHICH CONSTITUTE ONE OF THE OFFENSES REFERRED
TO IN A. ABOVE, THE PUBLIC OFFICIAL WHO HAS
HAD KNOWLEDGE OF IT IN THE EXERCISE OF HIS
FUNCTIONS MUST REPORT IT. SEE ARTICLE 316
OF THE PENAL CODE.

C. NO. THIS RESPONSE IS GIVEN WITH RESERVATIONS
SINCE THE FULL IMPORT OF THE QUESTION IS
NOT CLEAR.

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D. YES. WITH THE FOLLOWING QUALIFICATIONS: THE

ALW FORBIDS PARTY FINANCING ONLY BY
GOVERNMENT BODIES, PUBLIC AGENCIES,
COMPANIES WHICH OPERATE WITH STATE PARTI-
CIPATION OF 20 PERCENT OR MORE, OR COMPANIES
CONTROLLED BY ENTITIES WHICH OPERATE WITH
STATE PARTICIPATION OF 20 PERCENT OR MORE (ART.
7 OF LAW NO 195 OF MAY 2, 1974). OTHER
COMPANIES MAY CONTRIBUTE TO POLITICAL
PARTIES ONLY BY VOTE OF THE OWNERSHIP
AND MUST ENTER THE AMOUNT CONTRIBUTED
IN THEIR ACCOUNTS.

E. YES. AS ENVISAGED BY ARTICLE 8 OF THE LAW OF
MAY 2, 1974, THE PARTIES MUST PUBLISH
THEIR BALANCE-SHEETS; IN THE REPORT
ATTACHED THERETO, ANY CONTRIBUTION EXCEEDING
LIRE ONE MILLION MUST BE INDICATED, AS
WELL AS THE NAME OF THE NATURAL OR LEGAL
PERSON WHO MADE THE CONTRIBUTION.

F. NO. HOWEVER, SHOULD NON-PUBLIC EMPLOYEES ACCEPT
MONEY IN THEIR FAVOR, THIS FACT COULD
REPRESENT OTHER OFFENSES SUCH AS SWINDLING
OR MISAPPROPRIATION OF FUNDS (EMBEZZLEMENT).

3. BRIEF SUMMARY RELEVANT CITED LEGISLATION FOLLOWS
BY SEPTEL. FULL TEXTS BEING POUCHED.VOLPE

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Message Attributes

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